

# EXHIBIT 3

**AB Litigation Services**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING  
Civil Action No. 1:22-CV-00155-KHR

-----  
VIDEOCONFERENCE DEPOSITION OF CHARLES R. CIANCANELLI  
November 29, 2023  
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MO POW 3, LLC and MO POW 4, LLC,  
Plaintiffs,  
vs.

CRYPTO INFINITI LLC,  
Defendant.

## APPEARANCES:

HATHAWAY & KUNZ, LLP

By Tyler J. Garrett, Esq.

Kari Hartman, Esq.

2515 Warren Avenue, Suite 500

P.O. Box 1208

Cheyenne, Wyoming 82001

Appearing via videoconference on  
behalf of Plaintiffs.

HOLLAND & HART, LLP

By Jeffrey S. Pope, Esq.

2020 Carey Avenue, Suite 800

Cheyenne, Wyoming 82001

Appearing via videoconference on  
behalf of Defendant.

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Pursuant to Notice and the Federal Rules  
of Civil Procedure, the deposition of CHARLES R.  
CIANCANELLI, called by Plaintiff, was taken on  
Wednesday, November 29, 2023, commencing at  
9:00 a.m., via remote videoconference, before  
Vanessa D. Campbell, Registered Professional  
Reporter within and for the State of Colorado.

## I N D E X

VIDEOCONFERENCE DEPOSITION OF CHARLES R. CIANCANELLI	
EXAMINATION BY:	PAGE
Mr. Garrett	3
Ms. Hartman	--
Mr. Pope	--

## EXHIBITS

(None)

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## P R O C E E D I N G S

CHARLES R. CIANCANELLI,

being first duly sworn in the above cause, was  
examined and testified as follows:

## EXAMINATION

BY MR. GARRETT:

Q Good morning, Mr. Ciancanelli. My name is  
Tyler Garrett. I'm an attorney with the law firm of  
Hathaway & Kunz here in Cheyenne, Wyoming, and we  
represent Crypto Infiniti. So I'd like to start by  
just asking you some just general questions about  
you, yourself. I don't know anything about you, but  
your name came up as someone who may have  
information with regard to the subject case.

So just some housekeeping matters just to  
get started. Have you ever been deposed before?

A Yes.

Q When?

A When, meaning the last time?

Q Yeah, let me back up. How many times have  
you been deposed?

A Well, the number would be quite large,  
but, oh, 20, 30 times, maybe.

Q Are those all cases that you were a part  
of, or --

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A Yeah, I was in law enforcement for 18-1/2  
years, so ...

Q Oh, wow. Gotcha. Well, thanks for your  
service.

A Thank you.

Q So those -- those cases didn't -- you  
weren't a party to the case. You were a witness to  
the case; is that right?

A Yeah, a witness.

Q Okay. So, you know -- you know, please  
answer all the questions audibly. No shaking of the  
head or nodding. It's really difficult for the  
court reporter to capture your answer without an  
audible answer.

These types of video depositions are  
sometimes tough because we talk over each other.  
It's just not a natural environment for -- to have a  
conversation. But let's try to do our best to not  
talk over each other. I'll ask the question and you  
can answer once I'm done. Sometimes I linger with  
my question, so I apologize in advance.

Any reason, such as medications or  
anything else, that would preclude you from  
answering truthfully and accurately today?

A No.

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1 A That's all you would need.  
2 Q How much was the building permit?  
3 A I don't recall.  
4 Q Less than a thousand dollars?  
5 A Couldn't answer that.  
6 Q But you facilitated obtaining that permit?  
7 A That's correct.  
8 Q But you can't recall -- I mean, is it safe  
9 to say it was less than \$5,000?  
10 A I can't safely say that, because I'm under  
11 oath and I don't know exactly what it cost, so I  
12 have no idea what the ballpark range is either.  
13 Q But a building permit, I mean, in your  
14 experience doesn't cost that much.  
15 A It's -- well, it depends on where you're  
16 at. Some states it's the cost of what the project  
17 is, a percentage; some just have flat fees.  
18 Q But you have no recollection of what the  
19 building permit here cost.  
20 A No, sir.  
21 Q Okay. So aside from the building permits,  
22 what other actual work was performed on the site?  
23 You said you prepped it for a scope of work. That  
24 included obtaining permits and then also the  
25 buildout. Did the buildout actually occur?

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1 Q The physical development side.  
2 A So physically, no.  
3 Q No, as in there had been no physical  
4 development?  
5 A No.  
6 Q What about the current status of the site?  
7 Do you have any knowledge of anything being built  
8 out physically at that site?  
9 A No knowledge.  
10 Q And in your experience and, you know, in  
11 the construction industry, why couldn't that site,  
12 400 North Main, Springfield, Missouri, have provided  
13 the full 35 megawatts, do you know?  
14 A There's substations that provide the load  
15 for the power, electricity, and that was -- that  
16 site was only able to provide a load for whatever  
17 the utility companies would tell us for. I believe  
18 that was a 15-megawatt site that they were able to  
19 provide a load for.  
20 Q Okay. Let me turn to another site. 5501  
21 East Farm Road 112, Strafford, Missouri. That  
22 address ring a bell?  
23 A Yes.  
24 Q Okay. Let's walk through that site, and  
25 tell me what you know about it.

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1 A No. All the preparation is what I  
2 explained earlier, is scope of work -- you know, the  
3 layout of the site, working with the engineers,  
4 getting that information together, so that way you  
5 have engineer drawings to go in to acquire permits  
6 to get the approval to do the actual development.  
7 Q I see. So a lot of paperwork was done but  
8 no actual physical development was conducted on the  
9 site.  
10 A No.  
11 Q So it's safe to say -- and this is  
12 redundant, and I apologize, but I do want to make  
13 sure that the record's clear.  
14 So it's safe to say in May of '22 the  
15 state of the site was that there had been no --  
16 there had not been any actual physical development  
17 on the site, that site being 400 North Main,  
18 Springfield, Missouri.  
19 A Correct.  
20 Q Okay. And then the status of the site as  
21 of July 19, 2022, when this action was filed, the  
22 same, there was no development at the site of 400  
23 North Main, Springfield, Missouri; is that correct?  
24 A Development, would you be a little bit  
25 more detailed on that, please.

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1 MR. POPE: Object to form.  
2 A Yeah, I was going to ask what -- what do  
3 you mean what do I know? Can you be more specific?  
4 Q (By Mr. Garrett) So -- yeah. What --  
5 what work did you perform at that site located at  
6 5501 East Farm Road 112, Strafford, Missouri?  
7 A I've performed -- like what exactly work  
8 are you asking for? I did a buildout there.  
9 Q Let's talk about the buildout.  
10 A Okay.  
11 Q What do you mean by buildout?  
12 A Well, the infrastructure to house digital  
13 currency equipment, meaning I, you know, had  
14 contractors come in to do the installation of the  
15 infrastructure, to run the power, grading, fencing,  
16 security, storage.  
17 Q Is that what you mean by infrastructure?  
18 A Yes.  
19 Q All right. So grading, security, storage.  
20 Are those all that makes up what you consider  
21 infrastructure?  
22 A And the power grid also.  
23 Q You mean power, running powerlines, or --  
24 A Yes. The electricity, overhead  
25 powerlines, connecting transformers. It's

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1 basically -- it's basically a plug-and-play system.  
 2 They have these modular data centers that they run  
 3 their -- house their computer servers in. So it's  
 4 not too difficult. It's not like building a  
 5 commercial or a residential building where you have  
 6 to have plumbing and, you know, the electric, HVAC,  
 7 all the mechanicals and then an actual structure.  
 8 These are mobile data units, so it's pretty much a  
 9 plug-and-play. Goes up pretty quickly once you have  
 10 all the equipment.

11 Q When you started at this site, 5501 East  
 12 Farm Road 112, Strafford, Missouri, was there  
 13 already infrastructure in place, or was it just a  
 14 vacant piece of land?

15 A When I started it was -- everything was  
 16 greenfield. That's what we call it, vacant land.

17 Q Okay. So let's start from the beginning.  
 18 You were brought on by either Pangea or Amalgamated,  
 19 and -- to help develop this site, and it was  
 20 greenfield, meaning it was vacant.

21 So let's start from the beginning. I  
 22 suspect you did preplanning and getting the scope of  
 23 work. Will you just start from the beginning of how  
 24 all your work on that site went down?

25 A Yeah. So I would be told from Tom he has

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1 a site with X amount of power available and that he  
 2 needs to, you know, build it out for that size site.  
 3 And then I would do -- all my homework would be  
 4 involved in doing -- getting the site prepped for  
 5 that, which I explained earlier. If there are  
 6 engineer drawings, contractor bidding, getting the  
 7 site prepped, mobilization, excavation, grading,  
 8 security fencing, concrete work, and then all the  
 9 electrical work.

10 Q And all that was --

11 A Setting all the equipment also.

12 Q And all of that work was actually  
 13 conducted and completed.

14 A Yes.

15 Q Do you know whether that work was done for  
 16 MO POW 3 or a different company?

17 A I don't know who it was done for.

18 Q I'm going to put a pin here for a second.  
 19 I'm going to back up and ask a couple of questions.  
 20 How long have you known Thomas Guel?

21 A Over 30 years.

22 Q You guys have a long personal  
 23 relationship, long before getting into business  
 24 together, it sounds like.

25 A Yeah, I know him from school.

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1 Q Oh, you guys are about the same age?

2 A Yes.

3 Q Okay.

4 A I know I don't look it, but I'm a little  
 5 bit younger than him. Actually older, though.

6 Q Were you actually physically on-site in  
 7 Missouri at either the 5501 East Farm Road site or  
 8 the 400 North Main site?

9 A Is there a given time you're asking, or  
 10 just a general question?

11 Q During the -- during your -- your work  
 12 that you conducted.

13 A Was I on-site?

14 Q Uh-huh.

15 A That's your question? Yes.

16 Q Yes.

17 A Yes is my answer.

18 Q How long?

19 A Weeks to months.

20 Q Okay. That was kind of a compound  
 21 question. I asked about two sites, so let's break  
 22 it down a second.

23 The 400 North Main, Springfield, Missouri  
 24 site, I don't imagine you were there very long  
 25 because there was actually nothing ever done on that

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1 site; is that correct?

2 A For that, yeah, it would be a matter of  
 3 just weeks that I would be working with the City of  
 4 Springfield and then the engineers and contractors.

5 Q Okay. And then with respect to the -- the  
 6 5501 East Farm Road 112, Strafford, Missouri site,  
 7 how long were you at that site in person?

8 A Three months. 90 days, approximately.

9 Q Okay. Did you have to go through any type  
 10 of regulatory red tape with respect to your work at  
 11 that site?

12 MR. POPE: Object to form. Go ahead.

13 A Can you be a little bit more detailed?  
 14 What do you mean by red tape or --

15 Q (By Mr. Garrett) Yeah, did you need to  
 16 get authorization to conduct business in Missouri  
 17 before you did your work?

18 A By a State or government body you're  
 19 asking, or --

20 Q Yes.

21 A No.


22 Q So in terms of communicating with Thomas  
 23 Guel regarding either of these sites and your work  
 24 on these sites, did you correspond by e-mail?

25 A Sometimes. The majority of the time was

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1 A To date, or for the project in -- yeah,  
2 for the project that we're talking about, yes, I'm  
3 fully paid.  
4 MR. GARRETT: Mr. Ciancanelli, those are  
5 all the questions I have. I thank you for your time  
6 an also for your service in law enforcement. I'll  
7 turn it over to Jeff, your counsel, and ask if he  
8 has any follow-up, and if not we can conclude.  
9 MR. POPE: I don't have any questions, and  
10 we will read and sign.  
11 THE COURT REPORTER: Do you both like to  
12 get electronic copies of the transcript?  
13 MR. GARRETT: Yes, please.  
14 MR. POPE: Yes, please.  
15 (The deposition concluded at 10:07 a.m.,  
16 November 29, 2023.)  
17  
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21  
22  
23  
24  
25

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1 STATE OF COLORADO )  
2 ) ss. REPORTER'S CERTIFICATE  
3 COUNTY OF DENVER )  
4 I, Vanessa D. Campbell, do hereby certify  
5 that I am a Registered Professional Reporter within  
6 the State of Colorado; that previous to the  
7 commencement of the examination, the deponent was  
8 duly sworn to testify to the truth.  
9 I further certify that this deposition was  
10 taken in shorthand by me at the time and place  
11 herein set forth and was thereafter reduced to  
12 typewritten form, and that the foregoing constitutes  
13 a true and correct transcript.  
14 I further certify that I am not related  
15 to, employed by, nor of counsel for any of the  
16 parties or attorneys herein, nor otherwise  
17 interested in the result of the within action.  
18 In witness whereof, I have affixed my  
19 signature this 7th day of December, 2023.  
20  
21   
22 Vanessa D. Campbell, RPR, CRR  
23 216 - 16th Street, Suite 600  
24 Denver, Colorado 80202  
25

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1 I, CHARLES R. CIANCANELLI, do hereby  
2 certify that I have read the foregoing transcript  
3 and that the same and accompanying amendment sheets,  
4 if any, constitute a true and complete record of my  
5 testimony.  
6  
7 \_\_\_\_\_  
8 Signature of Deponent  
9 ( ) No amendments  
10 ( ) Amendments attached  
11 Acknowledged before me this \_\_\_\_\_ day of  
12 \_\_\_\_\_, 2023.  
13 Notary Public: \_\_\_\_\_  
14 My commission expires \_\_\_\_\_  
15 Seal:  
16  
17 VDC  
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21  
22  
23  
24  
25

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1 AB LITIGATION SERVICES  
2 216 -16th Street, Suite 600  
3 Denver, Colorado 80202  
4 December 7, 2023  
5 Jeffrey S. Pope, Esq.  
6 2020 Carey Avenue, Suite 800  
7 Cheyenne, Wyoming 82001  
8 Re: Deposition of CHARLES R. CIANCANELLI  
9 MO POW 3 vs. Crypto Infiniti  
10 Civil Action No. 1:22-CV-00155-KHR  
11 The aforementioned deposition is ready for reading  
12 and signing. Please attend to this matter by  
13 following BOTH of the items indicated below:  
14 \_\_\_\_\_ Call 303-296-0017 and arrange with us to read  
15 and sign the deposition in our  
16 office  
17 \_\_\_\_\_ Have the deponent read your copy and sign the  
18 signature page and amendment sheets, if  
19 applicable; the signature page is attached  
20 \_\_\_\_\_ Read the enclosed copy of the deposition and  
21 sign the signature page and amendment sheets,  
22 if applicable; the signature page is attached  
23 \_\_\_\_\_ WITHIN 30 DAYS OF THE DATE OF THIS LETTER  
24 by \_\_\_\_\_ due to a trial date of \_\_\_\_\_  
25 Please be sure the original signature page and  
26 amendment sheets, if any, are SIGNED BEFORE A NOTARY  
27 PUBLIC and returned to AB Litigation Services for  
28 filing with the original deposition. A copy of  
29 these changes should also be forwarded to counsel of  
30 record. Thank you.  
31  
32 AB LITIGATION SERVICES  
33 cc: All Counsel  
34  
35